



North Dakota Department of Health HIPAA Policy

Policy Title:	Disclosure to Those Involved in the Individual's Care	
Policy Number:	P-008	Version: 1.0
Reference:	45 CFR 164.510(b)	
Applicability:	Department of Health	
Approved By:	Dr. Terry Dwelle, State Health Officer Arvy Smith, Deputy State Health Officer Darleen Bartz, HIPAA Coordinator, Privacy Officer	
Effective Date:	April 14, 2003	

Policy:

The NDDoH may disclose to an individual's family member, other relative, a close personal friend, or any other person identified by the individual, protected health information (PHI) directly relevant to such persons involvement with the individual's care or payment.

Exceptions:

None

Procedure:

- The NDDoH may use or disclose PHI to identify, locate or notify a family member, personal representative, or another person responsible for the care of the individual of the individual's location, general health or death.
- Prior to the above disclosures, it is recommended that the NDDoH:
 - Obtain the individual's agreement
 - Provide the individual with the opportunity to object
 - Determine that the individual does not object
- If the individual was not available or able to agree or object to the use or disclosure, NDDoH will determine if the disclosure is in the best interests of the individual and disclose only the relevant information.
- NDDoH may use or disclose PHI to a public or private entity to assist in disaster relief efforts.
- Verify the identity of the individual as outlined in the policy titled Verification of Identity.

Related Forms:

None

Definitions:

NDDoH – North Dakota Department of Health

Protected Health Information – Individually identifiable health information that is transmitted or maintained by electronic media or transmitted or maintained in any other form or medium

Individually Identifiable Health Information – Health information which includes demographic information that relates to the past, present or future physical or mental health or condition of an individual; the provision of health care to an individual; or the past, present or future payment for the provision of health care to an individual and that identifies the individual or there is a reasonable basis to believe the information can be used to identify the individual

Electronic Media – Electronic storage media including memory devices in computers and any removable/transportable digital memory medium such as magnetic tape or skid, optical disk or digital memory card; or transmission media used to exchange information already in electronic storage media. Transmission media includes the internet, extranet, leased lines, dial-up lines, private networks and the physical movement of removable/transportable electronic storage media

Personal Representative – A person who has authority under applicable law to make decisions related to health care on behalf of an adult or an emancipated minor, or the parent, guardian or other person acting in loco parentis who is authorized under law to make health care decisions on behalf of an unemancipated minor, except where the minor is authorized by law to consent, on his/her own or by court approval, to a health care service, or where the parent, guardian or person acting in loco parentis has assented to an agreement of confidentiality between the provider and the minor